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The National Technology Transfer and Advancement Act - Plan for Implementation

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ABSTRACT

The National Technology and Transfer Act (P.L. 104-113) gives NIST responsibility to coordinate standards and conformity assessment activities with other Federal agencies, state and local governments, and with the private sector. Congress required NIST to submit a plan for implementing the coordination activities. Specific activities in strategic standards management, responsiveness to international trade concerns, greater use of voluntary standards, and conformity assessment procedures are described. Responsibilities of governments, standards developers, and private sector interests are outlined, as are a number of specific tasks.

KEYWORDS:

Conformity assessment, consensus; global market; laboratory accreditation; product certification; standards; trade.

Plan for Implementation

Preamble

The material contained in the present document was transmitted to Congress on June 7, 1996, in accord with the provisions of P.L. 104-113, the National Technology Transfer and Advancement Act of 1995. The Plan envisages broad cooperation among governmental agencies and with the private sector in developing and implementing strategic standards and conformity assessment policies. Interested readers are invited to provide comments to the Office of Standards Services at the National Institute of Standards and Technology.

The National Technology Transfer and Advancement Act of 1995
PL 104-113
March 7, 1996

Congressional Action

On March 7, 1996, the President signed the National Technology Transfer and Advancement Act (PL 104-113) into law. The Act directs NIST to coordinate with other federal government agencies to achieve greater reliance on voluntary standards and conformity assessment bodies with lessened dependence on in-house regulations. The Act also tasks NIST with coordinating with state and local agencies on standards matters, and gives NIST a central role in coordinating conformity assessment activities with government agencies and the private sector. Finally, the Act requires NIST to report this plan to Congress by June 1996 for work with other government agencies and the private sector, to build workable systems for standards and conformity assessment that meet the needs of U.S. industry in a global market. The specific provisions for standards-related activities contained in the Act are the following:

- *To compare standards used in scientific investigations, engineering, manufacturing, commerce, industry, and educational institutions with the standards adopted or recognized by the Federal Government and to coordinate the use by Federal agencies of private sector standards, emphasizing where possible the use of standards developed by private, consensus organizations;*[1]

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[1] Italics indicate wording directly quoted from the Act or from the National Research Council Report. Full citations for each are given in the References.

- **NIST** will - **coordinate** *Federal, State, and local technical* ***standards activities and conformity assessment activities,*** *with private sector technical standards activities and conformity assessment activities, with the goal of eliminating unnecessary duplication and complexity in the development and promulgation of conformity assessment requirements and measures;*

- NIST will - transmit a **Plan** to Congress for implementing the amendments by June 7, 1996; and

- Use of Consensus Technical Standards means:

  - *All Federal agencies and departments shall* ***use technical standards*** *that are developed or adopted by voluntary consensus standards bodies, using such technical standards as a means to carry out policy objectives or activities determined by the agencies and departments;*

  - *Federal agencies and departments shall* ***consult with*** *voluntary, private sector, consensus standards bodies and shall, when such participation is in the public interest and is compatible with agency and departmental missions, authorities, priorities, and budget resources,* ***participate with*** *such bodies in the development of technical standards;*

  - *Exception - If compliance is inconsistent with applicable law or otherwise impractical, a Federal agency or department may elect to use technical standards that are not developed or adopted by voluntary consensus standards bodies if the head of each such agency or department transmits to the Office of Management and Budget an explanation of the reasons for using such standards. Each year, beginning with fiscal year 1997, the Office of Management and Budget shall transmit to Congress and its committees a report summarizing all explanations received in the preceding year under this paragraph;*

  - *"Technical standards" means performance-based or design-specific technical specifications and related management systems practices.*

Background

As the United States increases its participation in the global trading market, it is faced with a series of problems with its lack of an agreed-upon infrastructure for standards and conformity assessment. These problems arise because the systems

in the United States for standards and conformity activities are decentralized, often competitive, with a mixture of public and private participants. In contrast, the European Union (EU) has been most active in building an agreed-upon technical infrastructure among its members, but usually without considering input from the rest of the world. The United States, however, has adhered to pluralistic and uncoordinated systems for our various standards- and conformity assessment-related activities. While this approach may work domestically, it significantly hampers the United States internationally. Furthermore, the international and domestic costs of the various disjointed conformity assessment activities are extremely high, with both government and industry faced with multiple, duplicate assessment. These increase product cost, waste time and staff resources, and could be perceived by our trading partners as a technical barrier to trade. There is a need for the various entities, both government and private sector, to work together to create and maintain sound technical arrangements for the United States on whose structures and functions all members of the public and private sectors agree.

The need for greater coordination among public and private entities is echoed in the 1995 report by the National Research Council (NRC) in its analysis of standards and conformity assessment activities in the United States. That report made a number of specific recommendations for improving the current processes to support global trade. The report states the following:

> *The United States is the most productive and competitive nation in the world...Continued progress, however, is needed if we are to move forward into the twenty-first century and achieve higher levels of productivity and economic growth. This progress will come, in part, through aggressive and targeted efforts to remove the remaining costly, inefficient, and unnecessary barriers to industrial production embedded in the U.S. national standards and conformity assessment system.* (p.1)

The NRC study analysis of standards and conformity assessment activities in the United States concludes that particular attention must be given to conformity assessment issues, including product certification, laboratory accreditation, and management system procedures. The report states:

> *The information and data presented here support the conclusion that in most instances, the U.S. standards development system serves the national interest well. There is, however, evidence to indicate that our domestic policies and procedures for assessing conformity of products and processes to standards require urgent improvement....This*

should involve an integrated strategy by the U.S. government to link standards, conformity assessment and trade... (p.2)

The NRC report states that the United States **must** exercise leadership internationally to achieve effective global commerce. It states further that the United States should exercise continued self-analysis to streamline its own system of standards and conformity assessment.

> *A high-level focus by government and industry on standards and conformity assessment policy is one way of reaching these goals and promoting a more productive national economy.* (p.1)

The NRC report made ten specific recommendations for improving the health of the domestic standards and conformity assessment system, including a greater role for NIST in coordinating among other federal agencies, state and local authorities, and the private sector. The report recommended that NIST develop a system for recognition of conformity assessment activities done in the private sector, while working to phase out federally operated programs. It also recommended that NIST serve as the "*lead U.S. agency for ensuring federal use of standards developed by private, consensus organizations to meet regulatory and procurement needs*" (p.3) - thereby endorsing some of the principles contained in OMB Circular A-119 Federal Participation in the Development and Use of Voluntary Standards. The NRC report concluded that: "*Effective, long-term public-private cooperation in developing and using standards requires a clear division of responsibilities and effective information transfer between government and industry. Improved institutional mechanisms are needed to effect lasting change.*" (p.3) Thus, the requirements of the National Technology Transfer and Advancement Act of 1995 and the NRC report are generally consistent at defining a need, and describing NIST's role in meeting that need.

Implementing PL 104-113 - The National Technology Transfer and Advancement Act

Background

With the passage of the National Technology Transfer and Advancement Act, the Congress has directed NIST to take responsibility to provide public sector leadership in standards and conformity assessment and in working cooperatively with other government agencies and the private sector to support the creation and maintenance of a sound technical infrastructure for the United States. NIST is in a unique position to provide coordination and policy input for standards and conformity assessment structures and activities in the United States and lead the development of a realistic, workable technical

infrastructure to support the goal of an effective global market. The present plan defines the tasks for meeting the new missions for NIST prescribed by the Technology Transfer Act. These include actions in both standards and conformity assessment, with identification of and agreement on structures and functions by both public and private sectors.

To meet the goals of the Act and the challenge of the global market, the United States must develop and implement a functioning internal network of competent, nationally recognized bodies (in both the private and public sectors) for standards and conformity assessment, with meaningful processes to ensure and/or recognize the competence of these bodies. While the United States has effectively built some elements of this world-wide infrastructure, such as fundamental standards and network of inquiry points, much work remains to be done in other areas. A U.S. system of agreed-upon standards and procedures must be implemented for each of the key infrastructural elements:

- voluntary standards;
- product certification;
- accreditation of testing and calibration laboratories;
- registration of quality and environmental management systems; and
- formal recognition procedures for private sector bodies to support global trade.

At the same time, the U.S. procedures and systems must mesh with those being developed internationally, making our participation in the development of international standards and guidelines critical. The national goal must be to work with both public and private sector organizations to realize a viable standards and conformity infrastructure in the United States - led by the private sector, with active support and participation by the government.

Standards Activities

To support a workable U.S. system of written, voluntary standards, NIST must provide the public sector leadership needed to make our distributed system of standards and conformity assessment practices support our goals for world trade and outreach to developing markets. To achieve this goal, NIST will work closely with the principal standards organizations, including the American National Standards Institute (ANSI), to assist in the coordination of public policy and trade objectives for standards. NIST will work with other federal agencies through the Interagency Committee on Standards Policy (ICSP) to develop and implement consistent federal policies for use of voluntary standards. NIST and the ICSP will develop mechanisms for working with state and local governments to coordinate and

facilitate their participation in the standards arena, through liaison with the National Governors Association and other coordinating bodies.

The Federal Government currently takes part in the U.S. voluntary standards process as a purchaser, participant in standards development, provider of technical input and advice, trade promoter, and partner with the private sector. The government also issues regulations which can complement, override, supersede or conflict with standards activities in the private sector. The October 1993 revision of OMB Circular A-119, and the National Technology Transfer and Advancement Act (PL 104-113), both strongly encourage agencies to increase their reliance on voluntary standards, particularly those that are internationally accepted.

Implementation Mechanisms

The following sections present specific procedures for implementing the Act. These require active cooperation among NIST, OMB and other federal agencies. This cooperation will occur under the umbrella of the ICSP, and will require participation by all members. In many instances, NIST's responsibility is that of leadership and guidance as agencies develop and implement policies and procedures for using voluntary standards and participating in the process. In some instances, NIST has been identified as the responsible agency for carrying out the particular task. While resources are not addressed explicitly in this Plan, its complete implementation would require more resources than NIST has available for this task. Thus, the plan identifies the unique, high-priority items that NIST must and will do. The remaining tasks are identified to provide guidance for other government agencies and the private sector.

Comparison of Standards

Working closely with OMB and ICSP member agencies, NIST will develop a plan for comparing the content of proposed new federal standards with that of existing voluntary standards for implementation in FY 1997. Under this approach, each agency will review relevant standards for possible use when new federal standards are planned. Reporting requirements to OMB under Circular A-119 have already required identification of all voluntary standards used to replace agency standards. This information is contained in previous NIST reports to OMB and will be included in any future summaries. The use of information technology resources, such as the World Wide Web, will be encouraged to make the information as widely available as possible. In addition, NIST will enter information from previous reports into a publicly available database that cross-references

agency documents with private sector documents. This activity will be carried out in conjunction with the activities identified in the following section.

Coordination with Federal Agencies

The current Plan calls for the ICSP, originally set up under the chairmanship of NIST for the Department of Commerce, to coordinate standards policy and issues across federal agencies, to serve as the implementing mechanism for the Act. NIST will strengthen the ICSP role as a coordinating body of federal agencies for developing effective standards-related policies, monitoring use of voluntary standards and procedures, and coordinating efforts of federal agencies. Essential to the implementation of the Plan is ICSP encouragement of each agency to develop and implement a standards policy that relates use of voluntary standards to overall agency objectives, plus a strategic plan that sets priorities and outlines how voluntary standards will be integrated into agency programs. Strategies will differ among agencies for regulatory, procurement and trade purposes, with some competing interests that must be reconciled. Working with the ICSP, NIST will provide guidance to assist agencies in developing their strategic standards plans.

Working through the ICSP in coordination with OMB, NIST will develop mechanisms to collate inputs from other agencies on their participation in private sector standardization activities and reliance on private sector conformity assessment mechanisms. NIST will work with OMB to revise OMB Circular A-119 to document NIST's new responsibilities for conformity assessment, and suggest mechanisms for greater coordination on standards policies. In addition, NIST will request input from other agencies on their use of voluntary standards to replace or supplement agency regulations; their relationships with the private, voluntary standards community; and any policy changes required to implement the Act. The ICSP and its member agencies must develop a standards-based culture within each agency with supporting strategic plans. They must also develop strategies for addressing cross-cutting issues. Specific steps are outlined below, with references to activities that should be led by the ICSP, individual agencies, or the private sector. The specific activities are identified, along with the responsible agency. NIST is responsible for overall leadership and guidance but cannot accomplish all the necessary tasks without the active cooperation of other federal agencies.

Specific Actions

The following actions are to be carried out by NIST in cooperation with OMB and the member agencies of the ICSP.

- OMB, with advice and consultation with NIST, will revise OMB Circular A-119 to implement the Technology Transfer Act. The revised circular will require all federal agencies to report annually to OMB through NIST on their use and non-use of private sector voluntary standards in lieu of originating new or revising old regulations. It will also direct agencies to work with NIST with the goal of accepting the conformity assessment results from any U.S. conformity assessment body recognized and listed by NIST.

- NIST, with the assistance of OMB, will conduct a meeting for key agency managers responsible for standards activities on the effective use of voluntary standards in Federal programs and solicit their cooperation in directing their own agencies to develop strategic standards management plans.

- NIST will prepare a summary report to be submitted through OMB to Congress based on agency submissions regarding use of private sector standards and conformity assessment mechanisms. NIST will also prepare a similar report on the participation by agency staff in private sector standards activities.

The following actions will be carried out by other agencies through the ICSP with leadership and guidance from NIST. NIST is responsible for monitoring, but not directing, their efforts.

- The ICSP and NIST will consult with other agencies as they develop strategic plans for effective use of voluntary standards. The ICSP and NIST, working with other agencies, will also examine relevant voluntary standards, gap analyses, representational issues, regulatory agency participation in voluntary standards bodies, updating references to standards, coordinating agency positions (within and among agencies) for particular standards, copyright and licensing issues, industry interaction (FACA issues), financial resources, and implementation of agency-wide strategic standards policies and procedures.

- In conjunction with the ICSP and consistent with resources, an economic analysis of costs and benefits associated with the use of voluntary standards to carry out agency missions, including identification of resource benefits related to the use of voluntary standards in specific regulatory applications, should be initiated by the appropriate agencies.

- Through the ICSP, agencies must examine the process for referencing voluntary standards and provide recommendations. Under the Administrative Procedures Act, agencies seeking to reference voluntary standards as part of mandatory

requirements must go through formal rule-making procedures to adopt new standards and cite newer versions of standards already referenced in agency regulations. The ICSP should develop simplified procedures for adopting voluntary standards as mandatory rules. At the same time, the cost of standards compared with the "free" federal regulation must also be examined. Under copyright laws, agencies can reference private, voluntary standards in regulations, but cannot reproduce the full text of those standards without making prior arrangements with the copyright holder.

- Working through the ICSP and in consultation with OMB, NIST will establish mechanisms by which other federal agencies provide periodic (annual) data on their adoption of private sector standards OR their reasons for developing governmental standards rather than relying on voluntary standards. NIST will summarize all material provided by other agencies for input to the annual report to be submitted by OMB to Congress.

- With technical assistance from other ICSP members and NIST, each agency is expected to develop an internal process for committing staff, including assessment of appropriate financial support, and monitoring their participation, and for ensuring adequate preparation and coordination of positions within and between agencies prior to meetings. Failure to do this can result in duplication of effort and missed opportunities, or even conflicts particularly when there is multiple representation. The ICSP and agencies must strengthen policy that supports the legitimacy and desirability of participation in voluntary standards activities.

- Each agency must define its own position on representational issues - as technical or policy input. The conditions under which individual staff members participate in individual activities should be made clear to agency staff and the relevant standards organization. Agencies must also examine their legal requirements and determine any legislative and policy changes required to increase the use of voluntary standards. The ICSP should provide any recommendations for change to OMB.

States and Local Authorities

NIST will schedule and conduct workshops on standards and conformity assessment policy with state and local groups (e.g., National Governors' Association) to enlist their support and cooperation. To support these activities, NIST will work with ANSI to provide standards-related information through the

National Standards System Network (NSSN) and other electronic or paper communications.

Specific Actions

The following activities are to be carried out by NIST. Complete reporting on state and local use of voluntary standards may require additional resources at NIST.

- NIST will work with state and local agencies to identify and develop procedures for implementing standards and conformity assessment activities through such associations as the National Governors' Association and other associations of state officials. State and local use of voluntary standards should be documented in summary form.

- NIST will invite representatives from the National Governors' Association and other relevant coordinating bodies to meet with the ICSP and develop mechanisms for coordinating state standards and conformity assessment activities with the federal government.

- NIST will work with representatives of the various model building code and other state and local organizations to develop common policy for conformity assessment issues.

- NIST will also coordinate with EPA and the National Environmental Accreditation Conference (NELAC) on environmental accreditation issues and programs involving the states.

ANSI and Standards Developers

Working under the ANSI-NIST MOU (signed July 24, 1995) and through direct contact with major standards developers, NIST will identify issues associated with federal participation in the voluntary standards process, both domestic and international. NIST will work to overcome identified obstacles and encourage wider government support.

On the international level, the U.S. must work toward harmonizing, or recognizing as equivalent, standards throughout the world, relying on ANSI as the U.S. member body to the International Organization for Standardization (ISO) and U.S. member body, through the U.S. National Committee, to the International Electrotechnical Commission (IEC). At the same time, NIST and other federal agencies must identify globally accepted U.S. developed standards (e.g., the National Fire Protection Association (NFPA) Life Safety Code, the American Society of Mechanical Engineers (ASME) Boiler/Pressure Code, and similar standards developed by ASTM (formerly the American Society of Testing and

Materials), Society of Automotive Engineers (SAE), Institute of Electrical and Electronics Engineers (IEEE), and other multi-national standards and professional bodies).

Specific Actions

The following activities are to be carried out by NIST.

- NIST will work with ANSI and the standards development organizations (SDOs) to address federal agency concerns about the proliferation and overlap of standards activities, as well as the speed of standards development.

- NIST will work with ANSI and the SDOs to develop licensing policies that would encourage government use of voluntary standards in regulation and procurement.

- NIST will work with ANSI and the SDOs to provide timely notification to relevant federal agencies of proposed new standards and solicit input on desired activities to assist agencies.

The following activities are to be carried out by NIST in conjunction with the ICSP and representatives of the private, voluntary standards system, including, but not limited to, ANSI.

- NIST and the ICSP will develop mechanisms for coordinating with the private sector, including ANSI, to stimulate more effective interaction with ISO and IEC.

- NIST and the ICSP will convene a public forum to discuss the issue of international standards and U.S. interests.

Conformity Assessment

The activities which are commonly termed "conformity assessment" include product certification, accreditation of testing and calibration laboratories, and management system registration (for both quality and environment). Each activity occurs in all sectors of the standards system - including both government and private entities. The overall U.S. goal is to coordinate among all affected parties and develop national strategies for implementing integrated systems for conformity assessment. Such systems will provide national representation, and allow recognition of U.S. systems for international standards and trade.

Specific Activities

- To support understanding of general conformity assessment issues, NIST will undertake an economic analysis of the

costs of duplication in conformity assessment to governments at all levels as well as to U.S. industry.

- The analysis will also include a policy analysis of the potential barriers to trade, both domestic and international, of the duplicate efforts in conformity assessment.

Product Certification

Most federal agencies have been relatively content to leave product certification, per se, to the private sector, relying on quality systems and direct procurement to obtain the products that they desire. The Occupational Safety and Health Administration, however, operates the National Recognized Testing Laboratory (NRTL) Program which recognizes the competence of laboratories, known as NRTL's, to test products for electrical and workplace safety. The ICSP should address domestic and international recognition of product certification efforts, including support for the EU/MRA negotiations and coordination of relevant federal procedures. NIST will continue to provide listings of various programs, information about specific activities, and operation of the National Voluntary Conformity Assessment System Evaluation (NVCASE). Under NVCASE, NIST assesses the competence of U.S. conformity assessment bodies to meet foreign government regulations. NIST plans to continue the NVCASE program, assist other federal agencies in using private sector programs, and work with others in building networks of product certification entities.

Specific Activities

NIST has responsibility for the following activities.

- Work with OSHA to ensure domestic and international acceptance of the NRTL program.

- Work with private sector certification bodies to obtain their international recognition.

Laboratory Accreditation

A key goal for national laboratory accreditation efforts is the development of a workable U.S. system of laboratory accreditation with a recognized body that is empowered to sign MOUs for formalizing relationships with European cooperation for Accreditation of Laboratories (EAL), Asia Pacific Laboratory Accreditation Cooperation (APLAC) and other regional bodies. Under the implementation of the Act, a primary focus for laboratory accreditation activities includes strong efforts to establish a national infrastructure for laboratory accreditation

through the successor to the Laboratory Accreditation Working Group (LAWG); coordination with other organizations such as the National Environmental Laboratory Accreditation Conference (NELAC), National Conference on Weights and Measures (NCWM), National Conference of Standards Laboratories (NCSL), and International Congress of Building Officials Evaluation Service (ICBO ES); and development of domestic and international recognition systems for domestic laboratory accreditation programs.

Specific Activities

NIST has responsibility for these activities.

- In collaboration with ANSI and ACIL (formerly the American Council of Independent Laboratories) as principal representatives of the private sector, and with federal regulatory agencies, NIST will work with LAWG to develop and implement a plan for coordinating activities in laboratory accreditation in the United States. This includes concluding an agreement to proceed with a public/private U.S. organization for laboratory accreditation in 1996, including development of a constitution and procedures with support from federal and state agencies, and linkages with international bodies. This organization will be designed to specify the requirements for a body to qualify as a recognized or accredited conformity assessment entity, founded on the principles of accepted international standards and guidelines, openness, transparency, and balance of interests. The plan for operation will be presented in a Federal Register notice and open Symposium in 1996, with the body beginning operation in 1997.

- The National Voluntary Laboratory Accreditation Program (NVLAP) will continue to accredit calibration laboratories to ensure the necessary traceability to national standards. NVLAP will continue to accredit testing laboratories as mandated by Congress or as requested by other federal agencies, but will plan for possible transitional roles in the future.

Management System Standards

The federal government must continue to provide technical and policy support for the development and implementation of management system standards such as the ISO 9000 standards series for Quality Management Systems (QMS), and the ISO 14000 standards series for Environmental Management System (EMS) as well as tracking the development of similar standards, such as those

proposed for occupational health and safety; working with the private sector registration bodies for both QMS and EMS to ensure that federal viewpoints are represented and that their efforts are accepted internationally; and working with other federal agencies to achieve consistent federal use of quality and environmental management systems such as the Government & Industry Quality Liaison Panel (GIQLP). The ICSP will also foster the activities of the GIQLP, as it works to implement a government-wide system for ensuring quality in procurement.

Specific Activities

The following actions will be carried out by other agencies through the ICSP with leadership and guidance from NIST. NIST is responsible for monitoring, but not directing, their efforts.

- Federal agencies will continue to work through the Government & Industry Quality Liaison Panel to ensure the use of one quality system per supplier in the federal procurement process. The ICSP will work to expand this policy throughout the Federal Government.

- NIST and other federal agencies will work together to develop recognition plans for the competence of private sector QMS and EMS suppliers, so that they can be officially recognized for trade purposes.

Recognition of Conformity Assessment

The NRC report emphasized the importance of the federal government in recognizing private sector conformity assessment activities: "*NIST should develop and implement a National Conformity Assessment System Recognition (NCSR) Program. This program should recognize accreditors of (a) testing laboratories; (b) product certifiers, and © quality system registrars. By the year 2000, the government should rely on private sector conformity assessment services recognized as competent by NIST.*" (p.3)

Making a recognition program a reality requires that various federal agencies agree on means to ensure the competence of an outside body. Clearly, the ICSP should focus on criteria for the development and implementation of governmental recognition systems to meet the requirements that other nations and regional groups impose for market access for products. NIST, the ICSP, and the private sector will work to develop procedures to facilitate the goal of one product, one standard, one test with worldwide acceptance.

The NIST NVCASE recognition of U.S. conformity assessment activities is one way of providing recognition for products

regulated by foreign governments. Additional consideration should be given to NIST's role as an objective, neutral "recognizer" for domestic activities - and means for working with other federal agencies to ensure that accreditations, certifications, or registrations accepted by one will be acceptable to another.

Specific Activities

NIST has responsibility for the following activities.

- NIST will continue the NVCASE program for the recognition of qualified accreditors where such recognition is required for acceptance of U.S. conformity assessment results by foreign governments, as well as recognition (under the Act) for domestic and foreign accreditation bodies responsible for fastener testing.

The following actions are to be carried out by NIST in cooperation with the member agencies of the ICSP and with the appropriate private entities.

- NIST, along with the ICSP, will consider expanding the NVCASE concept to provide for domestic recognition of qualified conformity assessment organizations in the United States as recommended by the NRC Report on Standards, Conformity Assessment and Trade for the 21st Century. This recognition will also meet requirements imposed by foreign governments.

- NIST will work with both public and private sector entities to consider the viability of a national conformity assessment body. If developed, such a body should maintain a widely available register (NSSN, Internet, and hard copy) of all recognized conformity assessment entities for use by public and private sector organizations requiring accreditation of laboratories or other forms of conformity assessment.

Conclusions

As NIST implements the National Technology Transfer and Advancement Act (PL 104-113), we will pursue the tasks outlined in this plan and coordinate with other federal government agencies to achieve greater reliance on voluntary standards and conformity assessment bodies and lessened dependence on in-house regulations. We will also coordinate our activities with ANSI, SDOs and state and local agencies on standards matters. The Act gives NIST a central coordinating role with government agencies and the private sector to build workable systems for standards

and conformity assessment that will meet the needs of U.S. industry in a global market. NIST believes that the Act provides the mechanisms for achieving the goals outlined in the NRC report, including the following:

> *Significant improvement is needed in the U.S. system for assessing conformity of products and processes to standards. Our system has become increasingly complex, costly, and burdensome to national welfare. This is reflected in unnecessary duplication and unwarranted layers of complexity at the federal, state, and local levels. Manufacturers are increasing forced to perform redundant tests and obtain repetitive certifications for products sold in different parts of the country. Testing laboratories pay unnecessary fees and undergo duplicative audits to demonstrate their competence to multiple federal, state, and local authorities. The result is higher costs for U.S. manufacturers, public procurement agencies, testing laboratories, product certifiers, and consumers.* (p. 154)

The report recommends that Federal agencies maintain oversight responsibility for conformity assessment, and increase recognition efforts. NIST is continuing efforts to develop a national system for laboratory accreditation, as presented at the Open Forum on Laboratory Accreditation held at NIST on October 13, 1995. Working with all stakeholders in laboratory accreditation, we are developing plans for a more effective system for the United States. Similar efforts will be pursued in all areas of conformity assessment, as the Act states.

Finally, NIST will continue to emphasize efforts to make the Interagency Committee on Standards Policy a viable and effective forum for coordinating federal efforts in both standards and conformity assessment, and for encouraging and documenting agency use of private sector voluntary standards. NIST will also work vigorously with the states and localities in standards and conformity assessment activities to achieve the goal of a national system or systems that will be recognized and accepted world-wide. These efforts will require active cooperation among federal, state and local governments with the private sector - to build systems to meet the goals of the Act and support U.S. trade while maintaining our high standards of safety, health and the protection of the environment.

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